

*Oregon Dept. of Geology & Mineral Industries
Mineral Land Regulation & Reclamation Program
229 Broadalbin St. SW
Albany OR 97321-2246
(541) 967-2039*

OPERATING PERMIT ISSUED SUBJECT TO ANY LISTED CONDITIONS



Oregon Resources Corp.
PO Box 501
Portland OR 97207-0501

ID No.:	06-0073
County:	Coos
Section:	33 4 9 3 10
Twp:	26S 27S
Range:	14W
Tax Lot:	600, 600, 400
Site Name:	ORC Mine Sites

This permit shall be in effect, unless revoked or suspended for cause, from the date of issuance and shall remain in effect so long thereafter as the Permittee pays the annual fee to renew the permit, complies with the provisions of ORS 517.750 through 517.955 as applicable, the Rules as promulgated to administer the Oregon Mined Land Reclamation Act, the approved reclamation plan, and any conditions attached to this permit, and maintains a performance bond as required by the Act.

Issuance of this permit is not a finding of compliance with state-wide planning goals or the acknowledged comprehensive plan. The applicant must receive land-use approval from local government before using this permit.

NOTE: Reclamation plans may be modified per ORS 517.830(4) and OAR 632-(30) and (35)-035.

CONDITIONS: (Conditions may be appealed per OAR 632-30-030. If an appeal is made, this permit is invalid until the condition(s) appealed is/are resolved and the permit reissued.)

The Permittee must:

1. prior to mining, submit for DOGAMI approval a ground water monitoring plan that includes the requirements described in the Note to Reviewing Agencies dated December 14, 2009 (sampling locations, methods, frequency, analytes measured, and reporting).
2. prior to mining, submit to DOGAMI a wetland delineation and wetland mitigation plan approved by the Oregon Department of State Lands (DSL) and U.S. Corps of Engineers.
3. submit for DOGAMI approval a slope stability analysis for any fills constructed on slopes that are steeper than 3H:1V. The slopes stability analysis must be conducted and stamped by a licensed geotechnical engineer or registered engineering geologist.
4. not mine the North Seven Devils site prior to DOGAMI approval of a reclamation plan that includes handling of overburden, engineering of fills and reconstruction of drainages that are constructed following mining. The plan must be prepared by a certified geotechnical engineer or engineering geologist. Stamped plans must be submitted to DOGAMI for approval prior to mining and the construction must be under the supervision of the engineer. DOGAMI will have final say over where fills need to be engineered. ORC will also need to submit a stamped plan that shows contingencies for repairing slopes and rehabilitating streams should landslides or slumps later occur in areas where engineered fills were constructed. As-built drawings must be submitted to DOGAMI within 90 days of constructing the engineered fills.
5. not mine into the underlying bedrock.
6. obtain a DEQ NPDES 1200-A storm water discharge permit prior to mining.
7. adhere to the haul road plan dated January, 2009.
8. maintain a minimum 100 foot undisturbed setback from all perennial streams outside the perimeter of areas to be mined, except where road crossings of internal mining haul roads occur. The location of these crossings and construction drawings must be approved by DOGAMI prior to their construction.
9. maintain a 100 foot vegetated undisturbed setback from Seven Devils Road.

SEE PAGE TWO FOR ADDITIONAL CONDITIONS

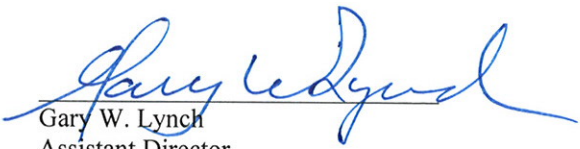
The Permittee must:

10. maintain a 50 foot excavation setback from property lines.
11. maintain an undisturbed setback from all breaks between the terraces and steep slopes. The setback must be at least 1.5 times the mining depth. The undisturbed setback is not required where removal of this material is needed to construct the two mitigation wetlands approved by DSL.
12. not excavate slopes steeper than 1H:1V along setbacks.
13. Remove large biomass that can be practicably separated from topsoil, including stumps, large root wads, and large slash, following the logging of merchantable timber by Weyerhaeuser. Strip and stockpile topsoil, along with other biomass that is part of, and cannot be practicably separated from, the topsoil. Excavate the remaining material below the topsoil and above the basal clay (top of bedrock) either as overburden or heavy mineral ore. Return the tailings and overburden, including process plant fines, as well as topsoil, to the mine sites. Rip, subsoil, or disk the reclamation sites to a depth of 15 inches before planting merchantable timber species, to amend the topsoil with the underlying material, meeting both the definition of DEQ-approved clean fill and containing water process fines as a soil amendment recommended by DOGAMI. Return large biomass to the sites, and plant merchantable timber in accordance with Weyerhaeuser requirements. Monitor the revegetation and growth of the planted merchantable timber species to ensure tree survival meets Weyerhaeuser's requirements.
14. backfill using only clean fill, as defined by DEQ. This is not applicable to large woody debris used in approved engineered channel reconstruction plans as described in permit condition number 13.
15. conduct concurrent reclamation and limit the active excavation cell to 10 acres. Requests for larger cells at certain locations will be evaluated by DOGAMI and allowed only with written approval.
16. where compaction of surface soil occurs, de-compact soils in the surface 15 inches using ripping, subsoiling, or disking prior to planting vegetation. Soils on slopes steeper than 3H:1V are exempt from the de-compaction requirement. Establish vegetation on areas disturbed by mining according to the specifications submitted in the reclamation plan.
17. prior to mining, submit for DOGAMI approval a gorse control plan that describes methods, success criteria, and monitoring.
18. survey and mark the boundaries of each active mine site prior to ground disturbance. Setbacks must also be marked. The markers must be clearly visible to equipment operators and at a spacing of no more than 200 feet. The survey must be conducted by a registered land surveyor and the survey must be tied to a coordinate system. The coordinates resulting from the land survey must be capable of being converted to the Oregon Coordinate System.
19. agree that if mining operations disturb any area outside of the permit area or area designated for active mining in the reclamation plan, including but not limited to, disturbance caused by a landslide, erosion, or fly rock, the operator must restore the disturbed area to a condition that is comparable to what it was prior to the disturbance. Furthermore, if areas outside of the permit boundary or outside of the area proposed for active mining in the reclamation plan are disturbed, DOGAMI may increase the amount of the required bond or approved alternative form of financial security to cover the cost of such restoration.
20. not mine outside of the five sites identified in the Operating and Reclamation Plan without first amending the Operating Permit.

Issued

H-22

¹⁰
2009


Gary W. Lynch
Assistant Director

RENEWAL IS REQUIRED BY JUNE 30, 2010

cc: Coos County Planning Department
Weyerhaeuser Company - Federal Way
Weyerhaeuser Company - Albany